

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, March 15, 2016

Time: 4:00 P.M.

Present from Town Council: David Bennett, *Mayor* Bill Harkins, *Mayor Pro Tem*; Lee Edwards, Marc Grant, Tom Lennox, Kim Likins, John McCann, *Council Members*

Present from Town Staff: Steve Riley, Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Tom Fultz, *Director of Administrative Services*; Jill Foster, *Deputy Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Jeff Buckalew, *Town Engineer*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Brad Tadlock, *Fire Chief*; Brian Hulbert, *Staff Attorney*; Susan Simmons, *Director of Finance*; John Troyer, *Deputy Finance Director*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*

Present from Media: Rebecca Lurye, *Island Packet*

1) CALL TO ORDER

Mayor Bennett called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA Compliance – Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

a. Disabilities Awareness Month

Mr. Caleb Brown, Board Member of the Beaufort County Special Needs and Disabilities Advisory Board was present to accept the proclamation.

b. Mayor's Honored Islander Awards

a. Dylan Jacy Brown

b. Trish Elliot

c. Cinda Seamon

Mayor Bennett made remarks concerning each of the Honored Islanders and their contributions to Hilton Head Island and the surrounding communities. All recipients were present to accept their awards.

6) Approval of Minutes

a. Town Council Meeting, March 1, 2016

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the March 1, 2016 regular Town Council meeting were approved by a vote of 6-0-1. (Mr. Edwards abstained as he was not present at the meeting.)

7) Report of the Town Manager

- a.** Engineering Excellence Award for the Mathews Drive/Marshland Road Roundabout Project – Jeff Buckalew

Mr. Buckalew described the award and presented it to the Mayor.

- b.** Town Manager's Items of Interest

Mr. Riley reported on the items of interest listed below.

- (1) Town News
- (2) Noteworthy Events

8) Reports from Members of Council

- a.** General Reports from Council

Mr. Lennox stated he sat in on a meeting with leadership from the Hedges and Cordillo Court POA's. He said as a result of the discussion and the work that the Public Facilities Committee has previously done regarding the agreement between the Associations and the Town, he recommended the item be placed on the agenda for the upcoming Town Council meeting to be held on April 5. The Mayor said he would take it under advisement.

- b.** Report of the Intergovernmental Relations Committee – Bill Harkins, Chairman

Mr. Harkins announced the Obama administration announced a total ban on oil drilling off the Atlantic Coast.

- c.** Report of the Community Services Committee – Kim Likins, Chairman

Mrs. Likins reported the Committee met on Monday, March 14 and held an executive session to review applications for the Venue Committee. She said they will be conducting interviews during the next two weeks.

- d.** Report of the Public Planning Committee – Tom Lennox, Chairman

Mr. Lennox stated the Committee met on March 3 to review the recommendations from Steven Ames of Ames Group Consulting and took public comment. He said the process will be continued on March 17 with the goal of a presentation to Town Council in April.

- e.** Report of the Public Facilities Committee – Lee Edwards, Chairman

No report.

- f.** Report of the Public Safety Committee - Marc Grant, Chairman

Mr. Grant stated the Committee will meet with the North Forest Beach Association and address concerns in terms of lockouts at the next scheduled Public Safety Committee meeting.

- g.** Report of the Finance and Administrative Committee - John McCann, Chairman

Mr. McCann stated the Committee met earlier in the day. He requested that Mayor instruct Committee Chairs to provide to the Town Manager and Council their budget requests for outside consultants and outside work for the upcoming year by April 19, 2016.

h. Report of the Circle to Circle Committee - Tom Lennox, Town Council Liaison

Mr. Lennox said the Committee met on March 9 and under Mr. Gant's leadership the meeting was very productive. He said they reviewed possible mediation solutions. They will continue to review solutions on March 16.

9) Appearance by Citizens

Oliver Bennett addressed Council requesting that they consider a Student Government Day for middle and high school students. Mr. McCann endorsed the idea along with Mr. Harkins and Mayor Bennett.

Rob Lee of the Seabrook addressed Council with a request for the Town to take over the sidewalks/pathways on Woodhaven Drive.

Peter Buonaiuto addressed Council regarding selection of the Town DMO and the Town Attorney.

Skip Hoagland addressed Council regarding free speech and the Hilton Head Island – Bluffton Chamber of Commerce, lawsuits and the Town Attorney.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2016-03

Second Reading of Proposed Ordinance 2016-03 of the Town of Hilton Head, South Carolina, authorizing the execution of a purchase and sale agreement and the execution of a deed for the sale of approximately 1.106 acres of real property along Dunnagan's Alley to the Village At Wexford Owners Association, Inc. pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

b. Second Reading of Proposed Ordinance 2016-04

Second Reading of Proposed Ordinance 2016-04 of the Town of Hilton Head Island, South Carolina, to amend Title 2 General Government and Administration of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Meetings of Council And Rules Of Procedure) Section 2-5-50, Agenda and Order of Business; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

c. Second Reading of Proposed Ordinance 2016-05

Second Reading of Proposed Ordinance 2016-05 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a sale and purchase agreement and related documents for the sale of approximately 0.59 acres of real property on William Hilton Parkway to PWK Enterprises, LLC, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

d. Consideration of a Recommendation – US278 Study

Consideration of a Recommendation to authorize the Town Manager to contract with a qualified engineering firm to complete, within 90 days, a US 278 Roadway Corridor Improvements Study encompassing area from Moss Creek Plantation to Squire Pope Road.

Mr. Harkins moved to remand the item to executive session to review potential contractual matters with Beaufort County. Mr. McCann seconded. Mr. Grant expressed concern for the residents of the US278/Squire Pope area and urged Council to consider them when moving forward. The motion to remand the item to executive session was unanimously approved by a vote of 7-0.

e. 2016 Beach Renourishment Project Revised Schedule

Mayor Bennett invited Scott Liggett to the podium to review the options available to Council. Mr. Liggett explained there would be a delay on the part of the contractor and detailed the options Council would have. He explained that because of the delay and the mandatory August 15 deadline for the Port Royal area due to the Piping Plover restrictions, it would be best to go with Alternate C of the original bid and begin in the Port Royal area. Council discussed the Alternate C in detail, along with discussion of moving the project back 30 to 45 days, as well as putting it off for another year and the possibility of obtaining a second dredge. Mr. Liggett explained the consequences associated with the other options. It was the consensus of Council the situation was dire.

Bob Bender of Sea Pines Resort, Ariana Pernice of the Hilton Head Island – Bluffton Chamber of Commerce, Chris Bracken of the Sonesta Resort, Drew Brown of Beach Properties, George Paletta and Heather Rath all spoke regarding the impact of the delay.

Mr. Edwards noted the need of a major public relations campaign to assist the rental companies and resorts to let people know the timeline for the renourishment. Mrs. Likins concurred.

Mayor Bennett stated he was still inclined to move the project back 30 days and work towards getting an additional dredge.

Mr. Edwards reminded everyone that as bad as the situation is the Town is much better off than almost every beach town on the entire East Coast. He expressed concern about delaying the project for a year there is just as likely a chance the same situation would occur.

Mr. Edwards moved to authorize Alternate C and authorize Mr. Riley and staff to negotiate with the contractor a partial delay and do the best to mitigate and minimize the disturbance as much as possible. Mrs. Likins seconded the motion.

Mr. Grant stated he was also in favor of Alternate C as it needs to be done and once it gets underway all aspects need to be completed.

Mayor Bennett stated he understood the need to move in the direction of Alternate C but felt it would cause issues on the south end of the Island. He felt there was more benefit taking a risk on the north end of the Island by moving that schedule back.

The motion was approved by a vote of 6-1. (Mayor Bennett was opposed.)

11) New Business

a. Consideration of Recommendations – Process for Out-of-Cycle ATAX Grants

Consideration of a Recommendation by the Finance and Administrative Committee that Town Council approve the proposed process for out-of-cycle State Accommodations Tax (ATAX) grants.

Mr. McCann moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

b. Consideration of a Recommendation – Council Compensation

Consideration of a Recommendation by the Finance and Administrative Committee to recommend to Town Council that the Town Manager be directed to prepare an ordinance which would amend Municipal Code section 2-3-60 (c) and (d) to increase for all Town Council Member attendance fees from \$40.00 to \$50.00. Further, that maximum combined payment of base annual pay plus attendance fees shall be for: (1) council members at \$20,300.00; (2) the Mayor Pro Tem at \$21,550.00 and (3) the Mayor at \$35,000.00.

Mr. McCann moved to approve. Mr. Harkins seconded the motion. Mr. McCann moved to amend the motion by increasing the attendance fees from \$40.00 to \$50.00 and keeping the maximum number of meetings the same. Mr. Harkins seconded the amended motion.

Peter Buonaiuto addressed Council stating the maximum compensation should include legal fee representation.

The motion was unanimously approved by a vote of 7-0.

c. Consideration of a Recommendation – Mayor's Speechwriting budget

Consideration of a Recommendation by the Finance and Administrative Committee that Town Council increase the Mayor's speechwriting budget from \$5,000.00 to \$10,000.00.

Mr. McCann moved to approve. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

d. Consideration of a Resolution – Charles Lasky and Debra Lasky vs. Town of Hilton Head Island

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the settlement agreement between plaintiffs, Charles Lasky and Debra Lasky and defendant, the Town of Hilton Head Island Board of Zoning in Case No.: 2015-CP-07-02211.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 7-0.

e. Consideration of a Resolution – Charles H. Hughes, et al v. Town of Hilton Head Island

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the settlement agreement between plaintiffs, Charles H. Hughes and Jan Dils Hughes and defendant, the Town of Hilton Head Island in Case No.: 2008-CP-07-03177.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

12) Executive Session

Mr. Riley stated he needed an executive session for Land Acquisitions: Discussion of negotiations incident to the proposed sale, lease or purchase of property: 1) related to granting an easement on a parcel near Summit Drive; 2) related to potential land acquisition in the Shelter Cove area; 3) related to potential land acquisition for the Lagoon Road Extension Project; Legal Matters: Receipt of Legal Advice: 1) related to pending litigation concerning the USCB Campus on Hilton Head Island; economic development for purposes of discussion of matters relating to the proposed location, expansion, or the provisions of service encouraging location or expansion of industries or other businesses and contractual matters related to a potential contract with the County for engineering services.

At 6:24 p.m. Mr. Harkins moved to enter into executive session for the items as set forth by the Town Manager. Mr. McCann seconded. The motion was approved by a vote of 7-0.

13) Possible actions by Town Council concerning matters discussed in executive session.

Mayor Bennett called the meeting back to order at 7:48 p.m. and stated there was no action taken during executive session nothing to address as a result of executive session.

14) Adjournment

Mayor Bennett adjourned the meeting at 8:49 p.m.

Vicki L. Pfannenschmidt
Executive Assistant/Town Clerk

Approved: April 5, 2016

David Bennett, Mayor